

HOUSE BILL 2729
By Williams (Wil)

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 50, Part 5, relative to driving a motor vehicle while the person's license to do so is cancelled, suspended or revoked.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-50-504, is amended by adding the following as a new subsection:

() (1) When a person is convicted of violating this section in a vehicle such person owns, in addition to the other penalties set out in this section, the court, at the time sentence is imposed, may order that the motor vehicle such person was driving be impounded for a period of not more than six (6) months for a first offense and not more than twelve (12) months for a second or subsequent offense.

(2) Notwithstanding subpart (1) of this subsection, any motor vehicle impounded pursuant to this section which is subject to a security interest, conditional sales contract, or lease contract shall be released by the court to the legal owner upon the filing of an affidavit by the legal owner that the security interest, conditional sales contract or lease contract is in default and such vehicle shall be delivered to the legal owner upon payment of the accrued cost of keeping the vehicle.

(3) If a motor vehicle impounded pursuant to this subsection for the first time is co-owned by a family member or owned at the time of impoundment by a person other than the driver, and the vehicle is the only vehicle available to the driver's immediate

family, the vehicle shall be released to a registered owner or to the co-owner family member upon compliance with all of the following requirements:

(A) The registered owner or co-owner family member requests release of the vehicle and such family member submits proof of that interest;

(B) The registered owner or the co-owner family member submits proof that he or she, or an authorized driver, is properly licensed and that the impounded vehicle is properly registered pursuant to this title; and

(C) All towing and storage charges related to the impoundment are paid.

SECTION 2. This act shall take effect July 1, 1996, the public welfare requiring it.

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